

United States District CourtFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

Nov 22, 2022**Eastern District of Washington**

SEAN F. McAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Justin Flammingsstar Martinez Case Number: 0980 2:13CR02088-SAB-3

Address of Offender: 1260 Chambers Road, Toppenish, Washington 98948

Name of Sentencing Judicial Officer: The Honorable Robert H. Whaley, Senior U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Stanley A. Bastian, Chief U.S. District Judge

Date of Original Sentence: July 29, 2014

Original Offense: Accessory After the Fact to Assault With Intent to Commit Murder,
18 U.S.C. §§ 3, 113(a)(1) & 1153Original Sentence: Prison - 96 months; Type of Supervision: Supervised Release
TSR - 36 monthsRevocation Sentence: Prison - 1 month
(September 2, 2022) TSR - 35 months

Asst. U.S. Attorney: Michael Davis Murphy Date Supervision Commenced: September 28, 2022

Defense Attorney: Jennifer Rebecca Barnes Date Supervision Expires: August 27, 2025

PETITIONING THE COURT

To issue a warrant.

On October 11, 2022, the supervised release conditions were reviewed and signed with Mr. Martinez, acknowledging an understanding of his conditions, which included standard condition number 2.

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1	<u>Standard Condition #2:</u> After initially reporting to the probation office, you will receive instructions from the Court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.
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Supporting Evidence: Mr. Martinez is considered to be in violation of his supervised release conditions by failing to report to his probation officer as instructed on October 31, 2022.

On October 25, 2022, this officer contacted Mr. Martinez to instruct him to report to the probation office on October 28, 2022. Mr. Martinez stated he was planning on traveling to the Spokane, Washington, area to determine if he would return to reside there. Mr. Martinez stated that he could report on October 31, 2022, and have an update on whether or not he

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would make a request to move to the Spokane area. Mr. Martinez was instructed to report to the probation office on October 31, 2022.

Mr. Martinez failed to report to the probation office on October 31, 2022. This officer attempted to contact Mr. Martinez at his reported cell phone number with no success.

2

Standard Condition #5: You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.

Supporting Evidence: Mr. Martinez is considered to be in violation of his supervised release conditions by failing to report a change of address to his probation officer as of November 18, 2022.

On November 18, 2022, this officer attempted to make contact with Mr. Martinez at his reported address on the first page of this report. The property appeared to be uninhabited as there were missing windows and the front door was completely opened. This officer called out for Mr. Martinez or anybody that may be at the residence. There was no answer. This officer did not enter the home due to safety concerns.

As of the date of this petition, Mr. Martinez has not reported to his probation officer nor has he reported a change of address.

The U.S. Probation Office respectfully recommends the Court issue a warrant requiring the offender to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: November 22, 2022

s/Arturo Santana

Arturo Santana
U.S. Probation Officer

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THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other

A handwritten signature in blue ink, reading "Stanley A. Sestran", is written over a horizontal line.

Signature of Judicial Officer

11/22/2022

Date

UNITED STATES DISTRICT COURT

for the

Eastern District of Washington

United States of America

v.

Justin Flammingsstar Martinez

Case No. 2:13-cr-02088-SAB-3

Defendant

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay(name of person to be arrested) Justin Flammingsstar Martinez ,
who is accused of an offense or violation based on the following document filed with the court:


☐ Indictment ☐ Superseding Indictment ☐ Information ☐ Superseding Information ☐ Complaint
☐ Probation Violation Petition ☒ Supervised Release Violation Petition ☐ Violation Notice ☐ Order of the Court

This offense is briefly described as follows:

See Petition and Order filed on 11/22/2022.

Date: Nov 22, 2022, 11:35 am

City and state: Spokane, Washington




Sean F. McAvoy, Clerk of Court/DCE

Printed name and title

Return

This warrant was received on (date) _____ , and the person was arrested on (date) _____
at (city and state) _____ .

Date: _____

*Arresting officer's signature**Printed name and title*